



State of California – Natural Resources Agency  
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**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



Governor's Office of Planning & Research

**June 23 2021**

June 23, 2021

## STATE CLEARINGHOUSE

Ms. Mischelle Mikulas  
Wastewater Planning Section  
Santa Clarita Valley Sanitation District  
1955 Workman Mill Road  
Whittier, CA 90601  
[MMikulas@lacsdc.org](mailto:MMikulas@lacsdc.org)

**Subject: Mitigated Negative Declaration for the Soledad Canyon Relief Trunk Sewer Section 4 Project, City of Santa Clarita, Los Angeles County, SCH #2021050473**

Dear Ms. Mikulas:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study/Mitigated Negative Declaration (MND) for the Soledad Canyon Relief Trunk Sewer Section 4 Project (Project) from the Santa Clarita Valley Sanitation District (District; Lead Agency). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

### CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

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## **Project Description and Summary**

**Objective:** The District is proposing the construction of a new sewer pipe, consisting of approximately 2,200 feet of 27-inch diameter sewer and all associated connections. The purpose of the new sewer pipe will be to provide hydraulic relief of the existing Soledad Canyon Trunk Sewer Section 4 (SCTS-4). Sewer relief is necessary to accommodate an expected increase in flows tributary to SCTS-4 due to planned growth within the area. Construction methods used to install the pipeline under the Santa Clara River would be either a horizontal directional drilling or a micro-tunneling method. The depth of the sewer would range from 11 feet to 30 feet below the ground surface, with the length of excavation at approximately 1,090 feet. The portion of the sewer crossing beneath the Santa Clara River would be encased with a minimum diameter of 54-inch steel casing. After placement of the sewer alignment, three manholes (MH) would be abandoned within the Santa Clara River. Potential Access Routes into the Santa Clara River are identified from the north and south banks of the river aligning with the existing sewer line.

**Location:** The proposed Project involves the construction of a sewer main in the City of Santa Clarita. The sewer main alignment would begin at the intersection of Soledad Canyon Road and Hidaway Avenue, continue south on Hidaway Avenue, then slightly southerly within private right-of-way, then south beneath the Santa Clara River. The sewer main alignment would then turn easterly towards the western edge of the Cordova Estates mobile home park to connect to existing City of Santa Clarita local sewers.

## **Comments and Recommendations**

CDFW offers the comments and recommendations below to assist the District in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring, and reporting program (Public Resources Code, § 21081.6 and CEQA Guidelines, § 15097).

## **Project Description and Related Impact Shortcoming**

### **Comment #1: Impacts to Unarmored Threespine Stickleback**

**Issue:** CDFW is concerned that Project-related activities could damage the riparian habitat and water quality of the Santa Clara River. A review of California Natural Diversity Database (CNDDDB) shows numerous historical records of unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*; UTS), a State fully protected species, both upstream and downstream of the Project site in the Santa Clara River.

**Specific impacts:** The Project may result in the loss of streams, associated watershed function, and biological diversity that could directly or indirectly impact the local population of UTS. Ground disturbing activities from grading, filling, water diversions, and dewatering would physically remove or otherwise alter existing streams or their function and associated riparian habitat on the Project site. Downstream areas and associated biological resources beyond the Project development footprint may also be impacted by Project-related releases of sediment and altered watershed effects resulting from Project activities.

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**Why impacts would occur:** Due to the ephemeral nature of sections of the Santa Clara River, sensitive fish species may not be present during site-specific biological surveys. Based on the presence of UTS upstream and downstream of the Project site, on-site riparian habitat for UTS can be considered as at least being transitory as there is potential for UTS to pass through during particularly wet years. During heavy rain events, fish that reside upstream could wash downstream and into or through the Project site. Furthermore, under wet conditions the Project site also has the potential to have fish swim upstream when the Santa Clara River has continuous flowing water.

**Evidence impacts would be significant:** Except as provided in the Fish and Game Code (e.g., for necessary scientific research), take of any fully protected species is prohibited and cannot be authorized by the Department (Fish and Game Code § 5515 and § 3511). Take is defined in Section 86 of Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Species designated under Fish and Game Code as Fully Protected may not be taken or possessed at any time and no licenses or permits may be issued for their take (Fish & Game Code §§ 3511, 4700, 5050, and 5515). Fully protected status precludes CDFW from authorizing any amount of incidental take or intentional take to meet any project mitigation requirement. Given the legal status of fully protected animals, take avoidance measures should meet very high standards of effectiveness.

### **Recommended Potentially Feasible Mitigation Measure(s)**

**Mitigation Measure #1:** UTS is a fully protected species and therefore cannot have any take authorized. The District should completely avoid working in proximity to any wetted portion of the stream or during any wet/rainy weather conditions. The District should develop a contingency plan to address the potential for active construction coinciding with a rain event where UTS may enter the Project site.

**Mitigation Measure #2:** CDFW has a broad regulatory authority over streams and associated riparian habitat. Within CDFW, the Conservation Engineering Branch provides technical expertise in fish passage, hydraulic engineering, hydrology, and hydrogeology. CDFW should be consulted early in the design phase of the Project and prior to any Project-related activities to ensure that take will be avoided. The District should work closely with CDFW's Conservation Engineering Branch and Habitat Conservation Planning Branch to effectively prevent any Project-related impacts to fully protected species found on site or in nearby stretches of the Santa Clara River (see Comment #2, Mitigation Measure #2 and Mitigation Measure #3). This may include coordination for Project design to ensure no scour or erosion occurs that could impact UTS.

**Mitigation Measure #3:** CDFW recommends the environmental document include measures to preclude take on the Project site during operations and from the increase in temporary traffic and human presence in relation to construction. The environmental document should view the potential take as a result of habitat modification. If the Project's modification of occupied habitat causes mortality of individuals, then the Project will be considered the cause of the take. Therefore, to avoid take, construction and operation activities should avoid all fully protected species by a distance of no less than the distance that the specific species are known or expected to travel within their home range, based on telemetry, mark-recapture, or other data.

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## **Comment #2: Impacts to Streams**

**Issue:** As proposed, the Project will involve work within the streambed of the Santa Clara River. According to page 4-24 of the IS/MND, “[a]reas that are under the jurisdiction of the CDFW would be affected by Project activities and would require authorization in the form of a Lake or Streambed Alteration Agreement (LSAA), per Section 1600 of the California *Fish and Game Code*... Upon construction conclusion, temporary disturbance areas, measuring 0.25 acre, shall be restored to pre-Project conditions. Permanent impacts would total approximately 0.02 acre.”

**Specific impacts:** The Project may result in the loss of streams and associated watershed function and biological diversity. Horizontal directional drilling beneath the surface of the Santa Clara River streambed could alter flows or absorption rates in the vicinity of the Project site. The placement of equipment directly into the Santa Clara River may diminish on-site and downstream water quality.

**Why impacts would occur:** Placing heavy construction equipment into the Santa Clara River could decrease water quality on the Project site via leaks of water, oil, or other petroleum products. Downstream streams and associated biological resources beyond the Project development footprint may be impacted by Project-related releases of sediment and altered watershed effects resulting from Project activities.

Horizontal directional drilling has potential to release drilling fluids into the surrounding environment through frac-outs. A frac-out occurs when drilling fluids penetrate fractured bedrock, or seeps and flows into rock or sediment eventually reaching the surface. Because drilling muds consist largely of a bentonite-clay mixture, they may not be classified as toxic or hazardous substances. However, if released into water bodies, bentonite has the potential to adversely impact fish and invertebrates.

**Evidence impacts would be significant:** Fish and Game Code section 1602 requires any person, State or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or,
- Deposit or dispose of material into any river, stream, or lake.

According to Fish and Game Code Section 5650 (a), it is unlawful to deposit in, permit to pass into, or place where it can pass into the waters of this state any of the following:

- (1) Any petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, or carbonaceous material or substance.
- (2) Any refuse, liquid or solid, from any refinery, gas house, tannery, distillery, chemical works, mill, or factory of any kind.
- (3) Any sawdust, shavings, slabs, or edgings.
- (4) Any factory refuse, lime, or slag.
- (5) Any cocculus indicus.
- (6) Any substance or material deleterious to fish, plant life, mammals, or bird life.

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Per Fish and Game Code 5652 (a), "It is unlawful to deposit, permit to pass into, or place where it can pass into the waters of the state, or to abandon, dispose of, or throw away, within 150 feet of the high water mark of the waters of the state, any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird."

The Project may substantially adversely affect the existing stream pattern of the Project site through the alteration or diversion of a stream, which absent specific mitigation, could result in substantial erosion or siltation on site or off site of the Project. Debris, soil, silt, sawdust, rubbish, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous or deleterious to aquatic life, wildlife, or riparian habitat resulting from Project related activities may enter the stream.

Drilling beneath the streambed, placing equipment into the riparian area, and introducing artificial structures to the bed, bank, or channel of a stream has the potential to alter flows and result in scouring of a streambed. Scouring during and after storm events could potentially lead to shifting or exposure of Project components, such as pipes or manholes, that may further alter the shape and flows of the stream and diminish downstream water quality. In addition, deleterious materials may contaminate the Santa Clara River due to frac-out.

### **Recommended Potentially Feasible Mitigation Measure(s)**

**Mitigation Measure #1:** The Project will result in the alteration of Santa Clara River, which would be subject to notification for a LSA Agreement pursuant under Fish and Game Code, section 1600 *et seq.* The Project applicant (or "entity") must provide notification to CDFW pursuant to Fish and Game Code, section 1600 *et seq.* Based on this notification and other information, CDFW determines whether an LSA Agreement with the applicant is required prior to conducting the proposed activities. Please visit CDFW's [Lake and Streambed Alteration Program](#) webpage to for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal (CDFW 2021a). LSA Notification should occur prior to the issuance of a grading permit.

**Mitigation Measure #2:** The LSA Notification should include a hydrology report to evaluate whether altering streams within the Project's development, grading, and vegetation clearing areas could impair headwater streams where there is hydrological connectivity. The hydrology report should include a hydrological evaluation of the 100-year storm event to provide information on how water and sediment is conveyed through the Project area. CDFW requests a map showing features potentially subject to CDFW's broad regulatory authority over streams.

**Mitigation Measure #3:** A scour analysis should be conducted to determine the depth of scour potential. The sewer line should be buried below that to avoid the sewer line from eventually becoming exposed. The scour analysis should demonstrate that stream banks and the streambed would not see increased erosion or scouring as a result of the placement of artificial structures or Project equipment. The scour analysis should calculate scour depth and include the potential for uplifting or shifting of Project components that could require routine maintenance in the future. Additionally, the scour analysis should assess the 100, 50, 25, 10, 5, and 2-year frequency flood events to evaluate existing and proposed conditions and erosion/scour potential.

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**Mitigation Measure #4:** The District should develop a frac-out contingency plan. The frac-out plan should establish operational procedures and responsibilities for the prevention, containment, and clean-up of frac-outs associated with proposed horizontal directional drilling.

### **Comment #3: Impacts to Fremont Cottonwood**

**Issue:** Exhibit 4-4: Tree Location in the IS/MND indicates that there are roughly 12 Fremont cottonwood trees (*Populus fremontii*) that may be impacted by Project-related activities. As shown in Exhibit 4-4, 11 of those trees are located along the Potential Access Routes, and one tree is directly in the alignment of the proposed replacement pipeline. CDFW considers all subcategories of Fremont cottonwood as a sensitive natural vegetation community (CDFWb 2021) and classified by California Native Plant Society (CNPS) with a rarity ranking of S3.2 (CNPS 2021).

**Specific impact:** The proposed pipeline alignment is expected to pass directly beneath an existing Fremont cottonwood tree. Rooting depths in mature stands have been found to range from 9.8 feet to 16.4 feet (Braatne et. Al 1996). Section 3.2 of the IS/MND states that the “depth of the sewer would range from 11 feet to 30 feet below the ground surface”. As proposed, Project drilling could potentially impact the root zone of the Fremont cottonwoods found on site. In addition, Proposed Access Routes for worker access into the Project site pass through on-site vegetation and could potentially occur within the driplines of sensitive tree species (e.g., Fremont cottonwood). These Proposed Access Routes could lead to trampling of vegetation by workers or ongoing vegetation clearance to maintain a path.

**Why impact would occur:** Project implementation includes horizontal directional drilling, grading, vegetation clearing for construction, equipment/worker access, equipment staging areas, and other activities that may result in direct mortality, population declines, or local extirpation of sensitive plant species. Working in the immediate vicinity of trees, either within the dripline or directly beneath, can directly impact the root zone of a tree.

**Evidence impact would be significant:** CDFW considers plant communities, alliances, and associations with a statewide ranking of S1, S2, S3 and S4 as sensitive and declining at the local and regional level (Sawyer et al. 2008). An S3 ranking indicates there are 21-80 occurrences of this community in existence in California, S2 has 6-20 occurrences, and S1 has less than 6 occurrences. Fremont cottonwoods have a [CNPS rarity ranking](#) of 3.2, meaning that they are “[m]oderately threatened in California (20-80 percent of occurrences threatened/moderate degree of immediacy of threat)” (CNPS 2021).

Impacts to special status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS).

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### **Recommended Potentially Feasible Mitigation Measure(s)**

**Mitigation Measure #1:** CDFW recommends avoiding any sensitive natural communities found on the Project. If avoidance is not feasible, CDFW recommends mitigating at a ratio of no less than 5:1 for impacts to S3 ranked communities. This follows the recommendations in Table 5 of the [Los Angeles County Significant Ecological Areas \(SEA\) Ordinance Implementation Guide](#), which applies to project located in the Santa Clara River SEA (LACDRP 2021). The recommended ratio is for the acreage as well as the individual plants that comprise each unique community. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by USFWS and CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and, a funding mechanism to assure for in perpetuity management and reporting. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Assembly Bill 1094; Government Code, §§ 65965-65968).

**Recommendation #1:** In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & Game Code, § 1940). This standard complies with the National Vegetation Classification System, which utilizes alliance and association-based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the Manual of California Vegetation (MCV), found online at <http://vegetation.cnps.org/>. To determine the rarity ranking of vegetation communities on the Project site, the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system.

### **Additional Comments & Recommendations**

#### **Comment #4: Nesting Birds**

Mitigation Measure MM-BIO-3 of the IS/MND requires the following: “In general, the Biologist shall designate a buffer of 50 to 200 feet for common nesting birds and 200 to 500 feet for special status nesting birds and nesting raptors.” CDFW has concerns that applying avoidance buffers in the lower ends of the ranges in this mitigation measure may not sufficiently reduce impacts to nesting birds to a level below a threshold of significance.

To protect nesting birds that may occur on site or adjacent to the Project boundary, CDFW recommends that no construction should occur from February 15 (January 1 for raptors) through August 31 unless a qualified biologist completes a survey for nesting bird activity within a 500-foot radius of the construction site. Based on local conditions, the nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. CDFW recommends the Lead Agency require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire Project site. If Project activities are delayed or suspended for more than 7 days during the breeding season, repeat the surveys. If nesting raptors and migratory songbirds are identified, CDFW recommends the following minimum no-disturbance buffers be implemented: 300 feet around passerine (perching birds and songbirds) nests, 500 feet around non-listed raptor nests and 0.5 mile around listed bird nests. These buffers should be maintained until the breeding season has ended or until a qualified biologist

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has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

### Filing Fees

The Project, as proposed, could have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

### Conclusion

We appreciate the opportunity to comment on the Project to assist the Santa Clarita Sanitation District in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that District has to our comments and to receive notification of any forthcoming hearing date(s) for the Project. If you have any questions or comments regarding this letter, please contact Andrew Valand, Environmental Scientist, at [Andrew.Valand@wildlife.ca.gov](mailto:Andrew.Valand@wildlife.ca.gov) or (562) 342-2142.

Sincerely,

DocuSigned by:

*Erinn Wilson-Olgin*

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Erinn Wilson-Olgin  
Environmental Program Manager I  
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cc: CDFW

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## References

- Braatne, Jeffrey H.; Rood, Stewart B.; Heilman, Paul E. 1996. Life history, ecology, and conservation of riparian cottonwoods in North America. In: Steller, R. F., ed. Biology of Populus and its implications for management and conservation. Ottawa, ON: National Research Council of Canada, NRC Research Press: 57-85.
- California Department of Fish and Wildlife [CDFW]. March 20, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <https://www.wildlife.ca.gov/Conservation/Plants>).
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- Sawyer, J.O., Keeler Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2<sup>nd</sup> ed. ISBN 978 0 943460 49 9.



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*GAVIN NEWSOM, Governor*  
*CHARLTON H. BONHAM, Director*



CDFW recommends the following language to be incorporated into a future environmental document for the Project.

<b>Biological Resources</b>			
	<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>
<b>MM-BIO-1 – Unarmored Threespine Stickleback as a Fully Protected Species</b>	UTS is a fully protected species and therefore cannot have any take authorized. The District shall completely avoid working in proximity to any wetted portion of the stream or during any wet/rainy weather conditions. The District shall develop a contingency plan to address the potential for active construction coinciding with a rain event where UTS may enter the Project site.	Prior to Project-related activities	Santa Clarita Valley Sanitation District
<b>MM-BIO-2 – Unarmored Threespine Stickleback as a Fully Protected Species – Coordination</b>	CDFW shall be consulted early in the design phase of the Project and prior to any Project-related activities to ensure that take will be avoided. The District shall work closely with CDFW's Conservation Engineering Branch and Habitat Conservation Planning Branch to effectively prevent any Project-related impacts to fully protected species found on site or in nearby stretches of the Santa Clara River. This may include coordination for Project design to ensure no scour or erosion occurs that could impact UTS.	Prior to Project-related activities	Santa Clarita Valley Sanitation District

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<b>MM-BIO-3 –          Avoidance of          take of a Fully-          Protected          Species</b>	<p>The environmental document shall include measures to preclude take on the Project site during operations and from the increase in temporary traffic and human presence in relation to construction. The environmental document shall view the potential take as a result of habitat modification. If the Project’s modification of occupied habitat causes mortality of individuals, then the Project will be considered the cause of the take. Therefore, to avoid take, construction and operation activities shall avoid all fully protected species by a distance of no less than the distance that the specific species are known or expected to travel within their home range, based on telemetry, mark-recapture, or other data.</p>	Prior to Project- related activities	Santa Clarita Valley Sanitation District
<b>MM-BIO-4 –          Notification for          a Lake &amp;          Streambed          Alteration          Agreement</b>	<p>The Project applicant (or “entity”) must provide notification to CDFW pursuant to Fish and Game Code, section 1600 <i>et seq.</i> LSA Notification shall occur prior to the issuance of a grading permit.</p>	Prior to Project- related activities	Santa Clarita Valley Sanitation District
<b>MM-BIO-5 –          Hydrology          Report</b>	<p>The LSA Notification shall include a hydrology report to evaluate whether altering streams within the Project’s development, grading, and vegetation clearing areas could impair headwater streams where there is hydrological connectivity. The hydrology report shall include a hydrological evaluation of the 100-year storm event to provide information on how water and sediment is conveyed through the Project area. A map showing features potentially subject to CDFW’s broad regulatory authority over streams shall be provided to CDFW.</p>	Prior to Project- related activities	Santa Clarita Valley Sanitation District
<b>MM-BIO-6 –          Scour Analysis</b>	<p>A scour analysis shall be conducted to determine the depth of scour potential and the sewer line must be buried below that to avoid the sewer line from eventually becoming exposed. The scour analysis shall demonstrate that stream banks and the streambed</p>	Prior to Project- related activities	Santa Clarita Valley Sanitation District

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	would not see increased erosion or scouring as a result of the placement of artificial structures or Project equipment. The scour analysis shall calculate scour depth and include the potential for uplifting or shifting of Project components that could require routine maintenance in the future. Additionally, the scour analysis shall assess the 100, 50, 25, 10, 5, and 2-year frequency flood events to evaluate existing and proposed conditions and erosion/scour potential.		
<b>MM-BIO-7 – Frac-out Plan</b>	The District shall develop a frac-out contingency plan. The frac-out plan shall establish operational procedures and responsibilities for the prevention, containment, and clean-up of frac-outs associated with proposed horizontal directional drilling.	Prior to Project-related activities	Santa Clarita Valley Sanitation District
<b>MM-BIO-8 – Impacts to Sensitive Natural Communities</b>	CDFW recommends avoiding any sensitive natural communities found on the Project. If avoidance is not feasible, mitigate at a ratio of no less than 5:1 for impacts to S3 ranked communities. This ratio is for the acreage and the individual plants that comprise each unique community. This follows the recommendations in Table 5 of the <a href="#">Los Angeles County Significant Ecological Areas (SEA) Ordinance Implementation Guide</a> , which applies to project located in the Santa Clara River SEA (LACDRP 2021). The recommended ratio is for the acreage and the individual plants that comprise each unique community. All revegetation/restoration areas that will serve as mitigation shall include preparation of a restoration plan, to be approved by USFWS and CDFW prior to any ground disturbance. The restoration plan shall include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and, a funding mechanism to assure for in perpetuity management and reporting. Areas proposed as mitigation shall have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Assembly Bill 1094; <a href="#">Government Code, §§ 65965-65968</a> ).	Prior to Project-related activities	Santa Clarita Valley Sanitation District

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<b>MM-BIO-9 – Nesting Bird Avoidance</b>	<p>To protect nesting birds that may occur on site or adjacent to the Project boundary, no construction shall occur from February 15 (January 1 for raptors) through August 31 unless a qualified biologist completes a survey for nesting bird activity within a 500-foot radius of the construction site. Based on local conditions, the nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. The Lead Agency shall require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire Project site. If Project activities are delayed or suspended for more than 7 days during the breeding season, repeat the surveys. If nesting raptors and migratory songbirds are identified, the following minimum no-disturbance buffers shall be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests. These buffers shall be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.</p>	Prior to and during Project-related activities	Santa Clarita Valley Sanitation District
<b>Recommendations</b>			
<b>REC-10 – Vegetation Classification</b>	<p>To determine the rarity ranking of vegetation communities on the Project site, the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system.</p>	Prior to Project-related activities	Santa Clarita Valley Sanitation District